



ATTORNEY'S DOCKET NO: C1039/7052 (AWS)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Weiner and Hartmann
Serial No: 09/888,326
Filed: June 22, 2001
For: METHODS FOR ENHANCING ANTIBODY-INDUCED CELL
LYSIS AND TREATING CANCER

Examiner: unknown
Art Unit: 1645

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 28th day of September, 2001.

Alan W. Steele, Reg. No.: 45,128

Commissioner for Patents
Washington, D.C. 20231

**SUPPLEMENTAL STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case. No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.



DOO # 9 1645

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Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith are the following documents:

- ☒ Information Disclosure Statement
- ☒ Form PTO-1449 and References Cited
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

No check is enclosed. If a fee is determined to be required, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
George Weiner and Gunther Hartmann, Applicant(s)

By: 

Alan W. Steele, Reg. No. 45,128
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
Telephone (617) 720-3500

Docket No. C1039/7052 (AWS)
Dated: September 28, 2001
X: NDD

PART III.: Remarks

Documents cited on the attached form PTO-1449 (modified) are enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

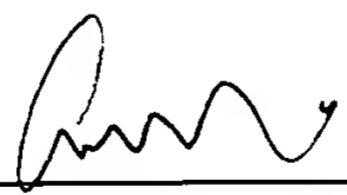
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

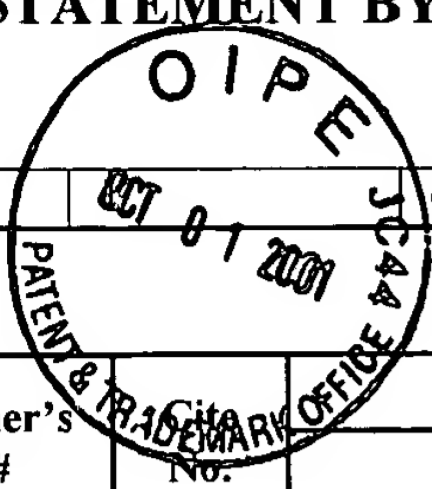
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FORM PTO-1449/A and B (Modified)		APPLICATION NO.: 09/888,326	ATTY. DOCKET NO.: C1039/7052
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		FILING DATE: June 22, 2001	
		APPLICANT: Weiner et al.	
		GROUP ART UNIT: 1645	EXAMINER: unknown
Sheet	2 of 2		



U.S. PATENT DOCUMENTS

Examiner's Initials#	U.S. Patent Document Number	Kind Code	Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY

FOREIGN PATENT DOCUMENTS

Examiner's Initials#	Cite No.	Foreign Patent Document Office/Country	Number	Kind Code	Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials#	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C122	BOERNER P et al., Production of antigen-specific human monoclonal antibodies from in vitro-primed human splenocytes. <i>J Immunol.</i> 1991 Jul 1;147(1):86-95.	
	C123	CHAPEROT L et al., Functional expression of CD80 and CD86 allows immunogenicity of malignant B cells from non-Hodgkin's lymphomas. <i>Exp Hematol.</i> 1999 Mar;27(3):479-88.	
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	C126	ELSASSER D et al., HLA class II as potential target antigen on malignant B cells for therapy with bispecific antibodies in combination with granulocyte colony-stimulating factor. <i>Blood.</i> 1996 May 1;87(9):3803-12.	
	C127	FORAN JM et al., European phase II study of rituximab (chimeric anti-CD20 monoclonal antibody) for patients with newly diagnosed mantle-cell lymphoma and previously treated mantle-cell lymphoma, immunocytoma, and small B-cell lymphocytic lymphoma. <i>J Clin Oncol.</i> 2000 Jan;18(2):317-24.	
	C128	FUNAKOSHI S et al., Inhibition of human B-cell lymphoma growth by CD40 stimulation. <i>Blood.</i> 1994 May 15;83(10):2787-94.	
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	C130	GORDON J et al., Regulation of survival in normal and neoplastic B lymphocytes. <i>Leukemia.</i> 1993 Aug;7 Suppl 2:S5-9.	
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	C133	HIGAKI Y et al., Mechanisms involved in the inhibition of growth of a human B lymphoma cell line, B104, by anti-MHC class II antibodies. <i>Immunol Cell Biol.</i> 1994 Jun;72(3):205-14.	
	C134	JAKOBOVITS A et al., Germ-line transmission and expression of a human-derived yeast artificial chromosome. <i>Nature.</i> 1993 Mar 18;362(6417):255-8.	
	C135	KINOSHITA T et al., CD20-negative relapse in B-cell lymphoma after treatment with Rituximab. <i>J Clin Oncol.</i> 1998 Dec;16(12):3916.	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

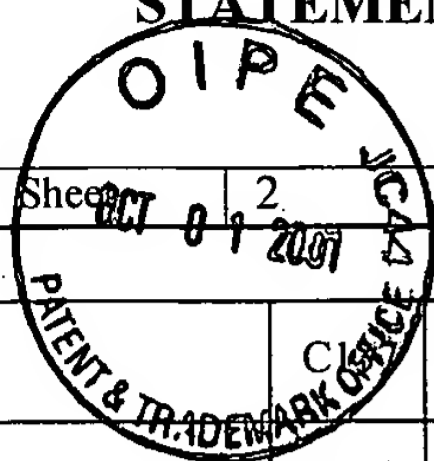
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		LANGER R, New methods of drug delivery. <i>Science</i> . 1990 Sep 28;249(4976):1527-33.		
	C138	LI X et al., Detection of apoptosis and DNA replication by differential labeling of DNA strand breaks with fluorochromes of different color. <i>Exp Cell Res</i> . 1996 Jan 10;222(1):28-37.		
	C139	LINK BK et al., Anti-CD3-based bispecific antibody designed for therapy of human B-cell malignancy can induce T-cell activation by antigen-dependent and antigen-independent mechanisms. <i>Int J Cancer</i> . 1998 Jul 17;77(2):251-6.		
	C140	LINK BK et al., Production and characterization of a bispecific IgG capable of inducing T-cell-mediated lysis of malignant B cells. <i>Blood</i> . 1993 Jun 15;81(12):3343-9.		
	C141	MALONEY DG, Preclinical and phase I and II trials of rituximab. <i>Semin Oncol</i> . 1999 Oct;26(5 Suppl 14):74-8.		
	C142	MARTIN-OROZCO E et al., Enhancement of antigen-presenting cell surface molecules involved in cognate interactions by immunostimulatory DNA sequences. <i>Int Immunol</i> . 1999 Jul;11(7):1111-8.		
	C143	MAYUMI M et al., Negative signaling in B cells by surface immunoglobulins. <i>J Allergy Clin Immunol</i> . 1996 Dec;98(6 Pt 2):S238-47.		
	C144	McLAUGHLIN P et al., Clinical status and optimal use of rituximab for B-cell lymphomas. <i>Oncology (Huntingt)</i> . 1998 Dec;12(12):1763-9.		
	C145	McLAUGHLIN P et al., Rituximab in indolent lymphoma: the single-agent pivotal trial. <i>Semin Oncol</i> . 1999 Oct;26(5 Suppl 14):79-87.		
	C146	SCHULTZE JL et al., T cell mediated immunotherapy for B cell lymphoma. <i>J Mol Med</i> . 1999 Mar;77(3):322-31.		
	C147	WAGNER H, Bacterial CpG DNA activates immune cells to signal infectious danger. <i>Adv Immunol</i> . 1999;73:329-68.		
	C148	WAGNER RW et al., Potent and selective inhibition of gene expression by an antisense heptanucleotide. <i>Nat Biotechnol</i> . 1996 Jul;14(7):840-4.		
	C149	WAHL RL et al., Improved radioimaging and tumor localization with monoclonal F(ab') ₂ . <i>J Nucl Med</i> . 1983 Apr;24(4):316-25.		
	C150	WISEMAN GA et al., Radioimmunotherapy of relapsed non-Hodgkin's lymphoma with zevalin, a 90Y-labeled anti-CD20 monoclonal antibody. <i>Clin Cancer Res</i> . 1999 Oct;5(10 Suppl):3281s-3286s.		
	C151	WITZIG TE et al., Phase I/II trial of IDEC-Y2B8 radioimmunotherapy for treatment of relapsed or refractory CD20(+) B-cell non-Hodgkin's lymphoma. <i>J Clin Oncol</i> . 1999 Dec;17(12):3793-803.		
	C152	WOOLDRIDGE JE et al., Select unmethylated CpG oligodeoxynucleotides improve antibody-dependent cellular cytotoxicity in vitro and in vivo. ABSTRACT #3253. <i>Proc Am Assn Cancer Res</i> 1996 Mar;37:477.		
	C153	WOOLDRIDGE JE et al., Select unmethylated CpG oligodeoxynucleotides improve antibody dependent cellular cytotoxicity in vitro of both murine and human B cell lymphomas. ABSTRACT #2877. <i>Blood</i> 1995 Dec;86:722A.		

EXAMINER

DATE CONSIDERED

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]